

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

DENISE PARKER,)
Plaintiff,)
v.)
MARTIN O'MALLEY,) Civil No. 1:23-CV-291-GCM
Commissioner of Social Security,)
Defendant.)

ORDER

Defendant has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment reversing the decision in this case with a remand of the case for further administrative proceedings. Plaintiff's attorney does not oppose Defendant's motion for remand.

Pursuant to the power of this Court to enter a judgment reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), this Court hereby REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the case to the Commissioner for further administrative proceedings.

See Melkonyan v. Sullivan, 501 U.S. 89 (1991). On remand, the case will be remanded to an administrative law judge who will offer the claimant an opportunity for a new hearing and issue a new decision.

SO ORDERED.

Signed: February 9, 2024

Graham C. Parker

Graham C. Mullen
United States District Judge

